

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

ROSE MCGILL, : Case No. 3:17-cv-131  
Plaintiff, :  
: District Judge Thomas M. Rose  
: Magistrate Judge Sharon L. Ovington  
vs. :  
: COMMISSIONER OF THE SOCIAL  
SECURITY ADMINISTRATION, :  
: Defendant. :

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**DECISION AND ENTRY**

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This case is before the Court on the parties' Joint Stipulation for an Award of Attorney's Fees under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412. (Doc. #15). Specifically, the parties stipulate and petition this Court to enter an order awarding attorney fees in the amount of \$3,713.00 under the EAJA. This award will fully satisfy any and all of Plaintiff's claims for fees, costs, and expenses under 28 U.S.C. § 2412, that may be payable in this case. Any fees paid belong to Plaintiff and can be offset to satisfy any pre-existing debt that Plaintiff owes the United States, pursuant to the decision in *Astrue v. Ratliff*, 560 U.S. 586, 130 S.Ct. 2521 (2010).

After the Court enters this award, if counsel for the parties can verify that Plaintiff owes no pre-existing debt subject to offset, Defendant agrees to direct that the award be made payable to Plaintiff's attorney pursuant to the EAJA assignment duly signed by Plaintiff.

**IT IS THEREFORE ORDERED THAT:**

1. The Parties' Joint Stipulation for an Award of Attorney's Fees under the Equal Access to Justice Act (Doc. #15) is accepted and the Commissioner shall pay Plaintiff's attorney fees, costs, and expenses in the total amount of \$3,713.00;
2. Counsel for the parties shall verify, **within thirty days of this Decision and Entry**, whether or not Plaintiff owes a pre-existing debt to the United States subject to offset. If no such pre-existing debt exists, Defendant shall pay the EAJA award directly to Plaintiff's counsel pursuant to the EAJA assignment signed by Plaintiff; and
3. The case remains terminated on the docket of this Court.

**IT IS SO ORDERED.**

Date: September 4, 2018

*\*s/Thomas M. Rose*

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Thomas M. Rose  
United States District Judge